



# PREPROPOSAL STATEMENT OF INQUIRY

**CR-101 (June 2004)**  
(Implements RCW 34.05.310)  
Do **NOT** use for expedited rule making

**Agency:** Department of Licensing

**Subject of possible rule making:** Uniform Commercial Code

WAC 308-391-202 Grounds for Refusal  
WAC 308-391-203 Procedure upon refusal  
WAC 308-391-101(1) Methods to deliver UCC records – time of filing

**Statutes authorizing the agency to adopt rules on this subject:**

RCW 62A.9A-526

**Reasons why rules on this subject may be needed and what they might accomplish: WAC 308-391-202 and WAC 308-391-203:**  
The UCC program currently has about 18,000 fraudulent filings in the UCC database, with about 4,000 added each year. Fraudulent filings are used to harass or defraud others, and can affect victim's ability to get credit. These records are nonconsensual common law liens, which are stated in RCW 60.70.030. DOL has the duty to establish criteria via the rule making process to reject and remove these lien filings. This proposed rule amendment is supported by industry and meets exemption criteria outlined in Executive Order 10-06.

**WAC 308-391-101(1):** Eliminate counter hours from this rule, and post hours on the internet site in lieu of.

**Identify other federal and state agencies that regulate this subject and the process coordinating the rule with these agencies:**  
N/A

**Process for developing new rule (check all that apply):**

- ☐ Negotiated rule making  
☐ Pilot rule making  
☐ Agency study  
☒ Other (describe) Communication with the public in general through the DOL/UCC web page and UCC Listserv.

**How interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication:**

(List names, addresses, telephone, fax numbers, and e-mail of persons to contact; describe meetings, other exchanges of information, etc.)

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**DATE**  
March 29, 2013

**NAME (TYPE OR PRINT)**  
Damon Monroe

**SIGNATURE**

*Damon Monroe*

**TITLE**  
Rules Coordinator

**CODE REVISER USE ONLY**

OFFICE OF THE CODE REVISER  
STATE OF WASHINGTON  
FILED

**DATE: March 29, 2013**

**TIME: 8:05 AM**

**WSR 13-08-050**